

January 17, 1996

SENATOR BEUTLER: Well, the agenda...the doesn't rule on the agenda until the item comes up and the Speaker says we are moving to "X item." When he says we're moving to "X item," if you don't like that you can move to overrule it.

SENATOR CHAMBERS: If a person does not object to the placement of the first four amendments and you get to the fifth one, are you saying then that no challenge can be made to that fifth one because a challenge was not made to the entire fifteen when it was first announced? Is that what your...your understanding is?

SENATOR BEUTLER: I don't understand that scenario, Senator.

SENATOR CHAMBERS: The Speaker has laid out fifteen...and I'll ask Senator Schimek to turn on her light again in case we can't complete it. The Speaker has laid out an order that encompasses fifteen amendments.

SPEAKER WITHEM: One minute.

SENATOR CHAMBERS: Four of those amendments are dealt with. The fifth amendment in that order comes up and a person says, I challenge the placement of that amendment and I think it should fall back where it would have been had the Speaker not placed it above others.

SENATOR BEUTLER: No, that cannot...it cannot be challenged at that point because the Speaker has not made a ruling. The Speaker is merely following the rules of the Legislature that they be taken in order and makes, and makes no, makes no ruling in that case.

SENATOR CHAMBERS: Is there any motion that a person could make on that particular amendment to have it put back where it would have been had the Speaker not taken it out of order? There is no motion based on your understanding, is there?

SENATOR BEUTLER: No, there, there...it depends on the situation, Senator. If he's...if he's made a motion, then you can move to overrule the Chair. In any situation in our Legislature where no motion has been made, there's always the ability to...

SPEAKER WITHEM: Time. Senator Bernard-Stevens.